

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

U.S. COMMODITY FUTURES TRADING
COMMISSION,

ECF Case

Plaintiff,

Civil Action No. 12 CV 8791 (CM)

-against-

NOTICE OF MOTION

ERIC MONCADA,
BES CAPITAL LLC, and
SERDIKA LLC,

Defendants.

-----X

Upon the annexed Affirmation of Richard M. Asche, dated February 7, 2014, and all prior pleadings herein, the defendant Eric Moncada, on consent of the plaintiff U.S. Commodity Futures Trading Commission, moves this Court for an order extending the time to respond to plaintiff's motion for summary judgment from February 12, 2014 to February 26, 2014, and the time of plaintiff to file any affidavits or memoranda from February 19, 2014 to March 12, 2014.

Dated: New York, New York
February 7, 2014

Litman, Asche & Gioiella, LLP
Attorneys for Defendant Eric Moncada

By: /s/ Richard M. Asche
Richard M. Asche (RMA7081)

140 Broadway – 38th Floor
New York, New York 10005
(212) 809-4500